





GDPR08 - WEBSITE PRIVACY AND COOKIES POLICY AND PROCEDURE

Review Sheet		
 Last Reviewed 14 Jan '25	 Last Amended 14 Jan '25	 Next Planned Review in 12 months, or sooner as required.
Business impact	 <b>LOW IMPACT</b> Minimal action required circulate information amongst relevant parties.	
Reason for this review	Scheduled review	
Were changes made?	Yes	
Summary:	This Website Privacy and Cookies Policy and Procedure has been reviewed with information about cookie acceptance updated in line with recent guidance, including the requirement to give users the option to 'reject all' cookies. A new form template popup cookie banner wording has been added. The template privacy policy has been updated in relation to recipients of data, transfers of data and data subject rights. Underpinning Knowledge and Further Reading links have also been reviewed and updated where needed.	
Relevant legislation:	<ul style="list-style-type: none"><li>• The Privacy and Electronic Communications (EC Directive) Regulations 2003</li><li>• Data Protection Act 2018</li><li>• UK GDPR</li></ul>	
Underpinning knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"><li>• Author: Information Commissioner's Office, (2021), <i>UK GDPR guidance and resources</i>. [Online] Available from: <a href="https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/">https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/</a> [Accessed: 25/11/2024]</li><li>• Author: Information Commissioner's Office, (2018), <i>Cookies and similar technologies</i>. [Online] Available from: <a href="https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guide-to-pecr/cookies-and-similar-technologies/">https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guide-to-pecr/cookies-and-similar-technologies/</a> [Accessed: 25/11/2024]</li></ul>	
Suggested action:	<ul style="list-style-type: none"><li>• Encourage sharing the policy</li><li>• Share 'Key Facts' with relevant team members</li></ul>	
Equality Impact Assessment:	Majesticare have undertaken an equality analysis during the review of this policy. This statement isa written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.	

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### 1. Purpose

1.1 To provide a template Website Privacy Policy that Haddenham Park can adapt to use on their website.

1.2 By using the template Website Privacy Policy provided, Haddenham Park will ensure that the policy on their website is UK GDPR compliant.

1.3 To support Haddenham Park in meeting the following Key Lines of Enquiry/Quality Statements (New):

Key Question	Key Lines of Enquiry	Quality Statements (New)
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?	QSW5: Governance, management and sustainability

1.4 To meet the legal requirements of the regulated activities that Haddenham Park is registered to provide:

- The Privacy and Electronic Communications (EC Directive) Regulations 2003
- Data Protection Act 2018
- UK GDPR

### 2. Scope

2.1 The following roles may be affected by this policy:

- All team members

2.2 The following Service Users may be affected by this policy:

- Service Users
- Website Users

2.3 The following stakeholders may be affected by this policy:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS

### 3. Objectives

3.1 To provide assurance that Haddenham Park has a Website Privacy Policy in place for users of its website that is UK GDPR compliant.

3.2 To establish ways of working in terms of the use, storage, retention and security of personal data.

3.3 To ensure that all data subjects, including Service Users, understand the ways in which their personal data is collected and processed by Haddenham Park via its website. Haddenham Park acknowledges that it may require additional privacy policies in relation to data subjects other than website users, and understands that template external and employee privacy policies have also been provided.

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### **4. Policy**

**4.1** Haddenham Park understands that if it operates a website, it needs to ensure its Website Privacy Policy complies with UK GDPR. Haddenham Park will use the Website Privacy Policy template as a template for its updated version.

Haddenham Park understands that the Website Privacy Policy only needs to be uploaded to its website if personal data is collected via the website.

Haddenham Park will consider using the Website Privacy Policy template to inform all website users about how their personal data is processed. Haddenham Park may wish to consolidate this Website Privacy Policy with the Template Privacy Policy - External that has also been provided.

**4.2** Haddenham Park understands that the Website Privacy Policy template can be found in the UK GDPR suite within Compliance Centre.

Haddenham Park understands that terms in square brackets are optional (depending on whether or not they apply to Haddenham Park).

Haddenham Park must review the Website Privacy Policy in its entirety to determine which elements are applicable to its website, and which are not relevant.

For example:

- If the template Website Privacy Policy refers to personal data that is not collected by Haddenham Park via its website, Haddenham Park can remove this
- If the website of Haddenham Park does not use cookies, they will delete references to cookies and the Cookie Policy
- If Haddenham Park does not transfer personal data outside of the UK and EEA, they will delete the section entitled "Where we store your personal data"
- If Haddenham Park is not required to appoint a Data Protection Officer, they will delete references to the Data Protection Officer
- Haddenham Park may consider replacing Data Protection Officer references with 'Privacy Officer' instead, referencing the person nominated to have day-to-day responsibility for data protection and UK GDPR; or
- If Haddenham Park uses personal data collected via its website in a way that is not described in the Privacy Policy, it must consider incorporating additional sections

This Website Privacy Policy directs users to a webpage with a contact form or contact details if they wish to contact Haddenham Park. Haddenham Park will consider whether to provide an alternative contact method instead, such as an email address and/or phone number.

If Haddenham Park has any concerns or queries in respect of the template Website Privacy Policy, they must seek legal advice.

**4.3** UK GDPR has changed the way cookies should be incorporated into websites and what information about the cookies should be provided. This means that Haddenham Park must explain what cookies will be set and what the cookies achieve.

Haddenham Park must obtain consent from individuals to store or use cookies that are not strictly necessary for the website to function properly. Such consent must comply with UK GDPR, which means that Haddenham Park cannot rely on implied consent to the use of cookies.

Haddenham Park will ensure that it uses a cookie banner or other appropriate consent process on its website to obtain consent to the use of cookies in line with this policy and that if no consent is obtained, no cookies will be set other than strictly necessary cookies.

Haddenham Park understands that strictly necessary cookies may be enabled by default and the user should not be able to disable strictly necessary cookies, but information should still be provided about strictly necessary cookies within the cookie policy of Haddenham Park.

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4.4 Haddenham Park must, therefore, update its processes for collecting consent for cookies. In practice, this means:

- Users must take a clear and positive action to consent to non-essential cookies
- The websites and apps of Haddenham Park must tell users clearly what cookies will be set and what they do, including any third-party cookies
- Pre-ticked boxes or any equivalents, such as sliders defaulted to 'on', cannot be used for non-essential cookies
- Non-essential cookies must not be set on landing pages before the user's consent is gained
- Users must be given the option to 'reject all' cookies within a popup cookie banner (with the exception of strictly necessary cookies)

Consent is not required for cookies that are defined as 'strictly necessary' or that fall within the communication exemption. 'Strictly necessary' cookies are those that are essential to providing the service requested by the user. Such cookies must be essential to fulfil their request. Those that are simply helpful or convenient, but not essential, or that are essential for the purposes of Haddenham Park, will still require consent.

Haddenham Park must note, in particular, that cookies used for analytical purposes or those used for marketing and advertising will always need consent as they are considered to be non-essential.

Haddenham Park should read the ICO's cookie guidance for further information on the types of cookie that require consent.

## 5. Procedure

5.1 Haddenham Park will consider whether or not it collects personal data via its website (for example, via enquiry forms, requests to be sent newsletters, requests for provision of services) and whether it needs a Website Privacy Policy. Haddenham Park acknowledges that the use of cookies may constitute processing of personal data via the website.

5.2 Haddenham Park will adapt the Website Privacy Policy before uploading it to its website to ensure that all aspects of the Website Privacy Policy are relevant and reflect the ways in which Haddenham Park processes personal data collected via its website.

5.3 Haddenham Park will use Template Privacy Policy - External and Template Privacy Policy - Employees to inform all other data subjects, including Service Users, about how Haddenham Park processes personal data other than personal data collected via the website.

## 6. Definitions

### 6.1 Data Subject

- The identified or identifiable individual about whom Haddenham Park has collected personal data

### 6.2 Data Protection Act 2018

- The Data Protection Act 2018 is a United Kingdom Act of Parliament that updates data protection laws in the UK. It sits alongside the UK General Data Protection Regulation and implements the EU's Law Enforcement Directive

### 6.3 UK GDPR

- The UK GDPR is the retained EU law version of GDPR that forms part of English law
- **General Data Protection Regulation (GDPR)** (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union

### 6.4 Personal Data

- Any information about a living person from which that person can be identified directly or indirectly including but not limited to names, email addresses, postal addresses, job roles, photographs, CCTV, online identifiers and special categories of data as defined in section 6.7

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### 6.5 Process or Processing

- Doing anything with personal data, including but not limited to collecting, storing, holding, using, amending or transferring it. Haddenham Park does not need to be doing anything actively with personal data - at the point Haddenham Park collects it, it is processing it

### 6.6 Special Categories of Data

- A term for personal data that is sensitive and personal in nature. Special categories of data include but are not limited to medical and health records (including information collected as a result of providing health care services), Care Plans, generic and biometric data and information about a person's religious beliefs, ethnic origin and race, sexual orientation, trade union membership and political views

### 6.7 Cookies

- Cookies are small text files sent from a website and stored on a user's computer, either temporarily or permanently. They are designed to hold a modest amount of data specific to a particular client so that a website can identify the user and can be used in a number of ways such as to analyse traffic to a website, support users logging in or track users' browser activity

### 6.8 ICO

- The Information Commissioner's Office

## Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The Website Privacy Policy applies to personal data collected via the website of Haddenham Park

## Key Facts - People affected by the service

People affected by this service should be aware of the following:

- Personal data provided to Haddenham Park via its website will be processed in accordance with the Website Privacy Policy at Haddenham Park

## Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

**Please find the forms below in the Forms section of the GDPR suite of policies within Compliance Centre:**

- Cookie Example Policy Statement
- Website Privacy Statement
- Template Privacy Policy - External
- Template Privacy Policy - Employees

**BBC - What do I need to know about cookies?**

<https://www.bbc.co.uk/usingthebbc/cookies/what-do-i-need-to-know-about-cookies/#:~:text=Cookies%20are%20small%20text%20files,We%20use%20them%20to%3A&text=To%20deliver%20advertising%20to%20websites,remembering%20your%20preferences%20and%20settings.>

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**Outstanding Practice**

To be ' outstanding ' in this policy area you could provide evidence that:

- Haddenham Park has modified the template Website Privacy Policy to ensure that it includes all information relevant to the collection of personal data via its website and has uploaded a copy to its website
- Haddenham Park ensures that clear links are available to the privacy policy on its website and that, if a person inputs personal data into the website, they are directed to the policy and required to accept its terms
- The wide understanding of the policy is enabled
- Haddenham Park ensures that the Website Privacy Policy is supplemented by additional privacy policies on the basis of the Template Privacy Policy - External and the Template Privacy Policy - Employees
- Haddenham Park ensures it uses an appropriate popup cookie banner to seek consent to the use of cookies in line with legislative requirements

**Forms**

Currently there are no forms attached to this policy

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